



House of Representatives

File No. 631

General Assembly

January Session, 2017

(Reprint of File No. 133)

Substitute House Bill No. 7112
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 17, 2017

AN ACT CONCERNING CHILDREN'S ADVOCACY CENTERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-106a of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective July 1, 2018*):

3 (a) For purposes of this section, "children's advocacy center" means
4 an entity accredited or granted associate or developing status by the
5 National Children's Alliance that provides a child-focused, trauma-
6 informed, facility-based program that fosters collaboration among
7 members of a multidisciplinary team established pursuant to
8 subsection (b) of this section for the purpose of interviewing or
9 meeting with children and children's parents, guardians or other
10 caregivers, in order to obtain information and provide such
11 information to personnel charged with making decisions regarding the
12 investigation and prosecution of allegations of child abuse or neglect
13 or trafficking, as defined in section 46a-170, of children and the safety,
14 treatment and provision of services to alleged victims of child abuse or
15 neglect or trafficking of children.

16 [(a)] (b) The Commissioner of Children and Families, as department
17 head of the lead agency, and the appropriate state's attorney may
18 establish multidisciplinary teams for the [purpose] purposes of (1)
19 reviewing particular cases or particular types of cases, [or to
20 coordinate the prevention, intervention and treatment] (2)
21 coordinating the intervention in and prevention of child abuse or
22 neglect or trafficking of children and the treatment of abused,
23 neglected or trafficked children in each judicial district, [or to review]
24 (3) reviewing selected cases of child abuse or neglect or [cases
25 involving the trafficking, as defined in section 46a-170, of minor
26 children. The purpose of such multidisciplinary teams is to advance
27 and coordinate] trafficking of children, (4) advancing and coordinating
28 the prompt investigation of suspected cases of child abuse or neglect [,
29 to reduce] or trafficking of children, (5) reducing the trauma [of any
30 child victim] experienced by alleged victims of such abuse or neglect
31 or trafficking and, [to ensure] (6) ensuring the [protection and]
32 treatment of [the child] abused, neglected or trafficked children and
33 the protection of such children and their families. The head of the local
34 law enforcement agency or [his or her] such head's designee may
35 request the assistance of the Division of State Police within the
36 Department of Emergency Services and Public Protection [for] in order
37 to accomplish such purposes.

38 [(b)] (c) Each multidisciplinary team shall consist of at least one
39 representative of each of the following: (1) The state's attorney of the
40 judicial district of the multidisciplinary team, or such state's attorney's
41 designee; (2) the Commissioner of Children and Families, or the
42 commissioner's designee; (3) the [head] heads of the local or state law
43 enforcement agencies, or [his or her designee] such heads' designees;
44 (4) a health care professional with substantial experience in the
45 diagnosis and treatment of abused or neglected children, who shall be
46 designated by the multidisciplinary team members; (5) a member,
47 where appropriate, of a youth service bureau; (6) a mental health
48 professional with substantial experience in the treatment of abused or
49 neglected children, who shall be designated by the multidisciplinary

50 team members; [and] (7) a forensic interviewer, who shall be
51 designated by the multidisciplinary team members; (8) a victim
52 advocate, who shall be designated by the multidisciplinary team
53 members; and (9) any other appropriate individual with expertise in
54 the welfare of children that the members of the multidisciplinary team
55 deem necessary. Each multidisciplinary team shall select a chairperson.
56 [A] Each multidisciplinary team may invite experts to participate in
57 the review of any case and may invite any other individual with
58 particular information germane to the case to participate in such
59 review, provided the expert or individual shall have the same
60 [protection] protections and obligations under subsections [(f) and (g)]
61 (h) to (j), inclusive, of this section as members of the multidisciplinary
62 team.

63 [(c)] (d) The Governor's task force for justice for abused children,
64 through the subcommittee comprised of individuals with expertise in
65 the investigation of child abuse and neglect, shall: (1) Establish and
66 modify standards to be observed by multidisciplinary teams; (2)
67 review protocols of the multidisciplinary teams; and (3) monitor and
68 evaluate multidisciplinary teams and make recommendations for
69 modifications to the system of multidisciplinary teams.

70 (e) Children's advocacy centers may assist multidisciplinary teams
71 by (1) providing safe, child and family-friendly settings that maintain
72 the privacy of children and their families; (2) establishing policies and
73 procedures that are culturally competent; (3) aiding in the
74 development of written protocols for an interdisciplinary and
75 coordinated approach to such investigations; (4) providing forensic
76 interviews of children that (A) are conducted by a trained forensic
77 interviewer, (B) are recorded, (C) solicit information in an unbiased,
78 fact-finding manner that is culturally sensitive and appropriate for
79 each child's developmental stage, and (D) may be observed by
80 members of the multidisciplinary teams involved in such
81 investigations whenever possible; (5) providing specialized medical
82 evaluation and treatment, mental health services and support and
83 advocacy services to children at such centers or through coordination

84 with and referral to other appropriate providers of such services; (6)
85 providing regular case review for the purpose of aiding in decision-
86 making, problem solving, systems coordination and information
87 sharing concerning the status of cases and the services required by
88 children and their families; and (7) providing a tracking system for
89 monitoring the progress and outcomes of cases.

90 (f) The state chapter of the National Children's Alliance and
91 multidisciplinary teams may (1) coordinate and facilitate the exchange
92 of information among children's advocacy centers; (2) provide
93 technical assistance to municipalities in order to support the
94 establishment, growth and accreditation of children's advocacy
95 centers; (3) educate the public and the General Assembly on the needs
96 of victims of child abuse or neglect or trafficking of children; (4)
97 provide or coordinate multidisciplinary training opportunities that
98 support a comprehensive response to allegations of child abuse or
99 neglect or trafficking of children; and (5) submit a report annually to
100 the Governor's task force on justice for abused children and the
101 General Assembly concerning outcomes from each children's advocacy
102 center.

103 [(d)] (g) All criminal investigative work of [the] multidisciplinary
104 teams shall be undertaken by members of [the team] such
105 multidisciplinary teams who are law enforcement officers and all child
106 protection investigative work of [the] such multidisciplinary teams
107 shall be undertaken by members of [the team] such multidisciplinary
108 teams who represent the Department of Children and Families,
109 provided such representatives [of the department] may coordinate [all]
110 investigative work with such multidisciplinary teams and rely upon
111 information generated by [the team] such multidisciplinary teams in
112 the course of such department's investigations. The protocols,
113 procedures and standards of [the] such multidisciplinary teams shall
114 not supersede the protocols, procedures and standards of the agencies
115 who are [on the multidisciplinary team] represented by members of
116 such multidisciplinary teams.

117 [(e)] (h) Each multidisciplinary team shall have access to and may
118 copy any record, transcript, document, photograph or other data
119 pertaining to an alleged child victim within the possession of the
120 Department of Children and Families, any public or private medical
121 facility or any public or private health professional provided, in the
122 case of confidential information, the coordinator of the
123 multidisciplinary team, or such coordinator's designee, [identifies]
124 shall identify the record in writing and [certifies] certify, under oath,
125 that the record sought is necessary to investigate child abuse or neglect
126 and that the multidisciplinary team will maintain the record as
127 confidential. No person who provides access to or copies of [such] a
128 record upon delivery of certification under this section shall be liable
129 to any third party for such action. [The] No multidisciplinary team
130 shall [not] be deemed [to be] a public agency [under] as defined in
131 section 1-200, for the purposes of the Freedom of Information Act.

132 [(f)] (i) No person shall disclose information obtained from a
133 meeting of [the] a multidisciplinary team without the consent of the
134 participant of the meeting who provided such information unless
135 disclosure is ordered by a court of competent jurisdiction or is
136 necessary to comply with the provisions of the Constitution of the state
137 of Connecticut.

138 [(g)] (j) Each multidisciplinary team shall maintain records of
139 meetings that include, but are not limited to, the name of the alleged
140 victim and perpetrator, the names of the members of the
141 multidisciplinary team and [their] such members' positions, the
142 decision or recommendation of the multidisciplinary team and
143 information regarding support services provided. In any proceeding to
144 gain access to such records or testimony concerning matters discussed
145 at [a meeting] such meetings, the privileges from disclosure applicable
146 to the information provided by each of the participants at [the] such
147 meeting shall apply to all participants.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2018</i>	17a-106a
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The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which defines children's advocacy centers and adds members to be included in multidisciplinary teams, does not result in a fiscal impact to the Department of Children and Families (DCF). DCF currently supports 16 children's advocacy centers at an average, annual cost of \$50,958 each. Multidisciplinary team members participate on a voluntary basis.

House "A" makes clarifying changes and does not result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 7112 (as amended by House "A")******AN ACT CONCERNING CHILDREN'S ADVOCACY CENTERS.*****SUMMARY**

This bill defines a children's advocacy center for purposes of assisting multidisciplinary teams that investigate alleged child abuse, neglect, or trafficking. Under the bill, such a center is an entity that

1. is accredited or granted associate or developing status by the National Children's Alliance (see BACKGROUND) and
2. provides a child-focused, trauma-informed, facility-based program that fosters collaboration among members of a multidisciplinary team (see below) to interview and meet with children and their parents, guardians, or other caregivers to obtain and provide information to personnel charged with making decisions regarding (a) investigating and prosecuting alleged child abuse, neglect, or trafficking and (b) the safety, treatment, and provision of services to the alleged victims of these crimes.

Current law permits the Department of Children and Families (DCF) and the appropriate state's attorney to establish multidisciplinary teams for various purposes related to child abuse, neglect, and trafficking. The bill specifies that one purpose for such teams is to provide protection to abused, neglected, or trafficked children and their families, rather than just to such children as under current law.

The bill adds to the individuals who must be included in a multidisciplinary team a forensic interviewer and child advocate, both

of whom must be designated by the team members. It also (1) permits children's advocacy centers to assist, in various capacities, multidisciplinary teams and (2) specifies certain actions the state chapter of the National Children's Alliance and multidisciplinary teams may take.

The bill also makes several technical and conforming changes.

*House Amendment "A" (1) requires children's advocacy centers to be accredited or granted associate or developing status by the National Children's Alliance, (2) eliminates some of the ways the underlying bill specifies children's advocacy centers may assist multidisciplinary teams, and (3) makes other minor changes to the actions the bill permits these centers and teams to take.

EFFECTIVE DATE: July 1, 2018

CHILDREN'S ADVOCACY CENTERS

Under the bill, children's advocacy centers may assist multidisciplinary teams by:

1. providing safe, private, child and family-friendly settings;
2. establishing culturally competent policies and procedures;
3. helping to develop written protocols for an interdisciplinary and coordinated approach to investigations;
4. providing specialized medical evaluation and treatment, mental health services and support, and advocacy services to children at children's advocacy centers or through coordination with, and referral to, other appropriate providers;
5. providing regular case review to aid in decision-making, problem solving, systems coordination, and information sharing concerning the status of cases and services children and their families require; and

6. providing a tracking system to monitor case progress and outcomes.

The bill also permits the advocacy centers to assist the teams by providing forensic interviews of children. Under the bill, the interviews:

1. are conducted by a trained forensic interviewer and recorded;
2. solicit information in an unbiased, fact-finding manner that is culturally sensitive and appropriate for each child's developmental stage; and
3. may be observed by team members involved in child abuse, neglect, or trafficking investigations whenever possible.

STATE CHAPTER OF THE NATIONAL CHILDREN'S ALLIANCE AND MULTIDISCIPLINARY TEAMS

The bill allows the multidisciplinary teams and state chapter of the National Children's Alliance to:

1. coordinate and facilitate the exchange of information among children's advocacy centers;
2. provide technical assistance to municipalities to support the establishment, growth, and accreditation of these centers;
3. educate the public and General Assembly on the need of child abuse, neglect, and trafficking victims;
4. provide or coordinate multidisciplinary training opportunities that support a comprehensive response to alleged child abuse, neglect, or trafficking; and
5. submit a report annually to the governor's task force on justice for abused children and the General Assembly on each center's outcomes.

BACKGROUND

National Children's Alliance

The National Children's Alliance is a national association and accrediting body for children's advocacy centers. In order to be accredited by the Alliance, a center must pass a site review and evaluation against a set of ten operational standards. The Alliance may grant associate or developing status to centers that are seeking accreditation but have not implemented all of the required standards.

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 12 Nay 0 (03/07/2017)